

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TODD WINTON, )  
                        )  
Plaintiff,         )  
                        )      **Case No. 1:22-cv-256**  
v.                    )  
                        )  
SAINT VINCENT HEALTH CENTER )  
d/b/a SAINT VINCENT HOSPITAL, )  
*et al.*,             )  
                        )  
Defendants.         )

**MEMORANDUM ORDER**

Plaintiff Todd Winton, an employee of Stericycle, sustained injuries on January 20, 2021 while attempting to remove hazardous waste from Defendant's loading dock area located on West 24<sup>th</sup> Street in Erie, Pennsylvania. In his motion filed at ECF No. 57, Plaintiff seeks an order precluding the Defendants from disputing at trial that they could have designated a different loading dock, located on West 23<sup>rd</sup> Street, as the location where Stericycle would pick up the full medical waste containers. Alternatively, Defendants ask this Court to designate Travis Phelps as Defendants' Rule 30(b)(6) corporate designee and be bound by his deposition testimony as it relates to the availability of the West 24th Street dock on the date in question.

Plaintiff has filed a brief in support of his motion and Defendants have responded. ECF Nos. 58, 59. The Court has reviewed all filings.

At this juncture of the litigation, the parties have completed fact discovery and are now engaging in expert discovery. No dispositive motions have been filed, nor has a trial date been established. The Court therefore views Plaintiff's motion, which is more in the nature of a motion *in limine*, as currently premature. As a result, after consideration of Plaintiff's motion filed at ECF No. [57] and all filings related thereto,

IT IS ORDERED, this 11th day of October, 2024, that the motion at ECF No. [57] is denied without prejudice and may be reasserted by Plaintiff at a later point in these proceedings, to the extent future circumstances may so warrant.



SUSAN PARADISE BAXTER  
United States District Judge